

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application     ) Application No. C-3172  
of Qwest Corporation, Denver,         )  
Colorado, seeking approval of         )  
its Qwest DSL (with discount)         )  
provided with UNE-P Amendment         ) GRANTED  
with Excel Telecommunications,         )  
Inc., Dallas, Texas, previously        )  
granted in Application No.             )  
C-2769.                                   ) Entered: April 27, 2004

BY THE COMMISSION:

O P I N I O N     A N D     F I N D I N G S

On March 23, 2004, Qwest Corporation (Qwest) of Denver, Colorado, filed an application seeking approval of its Qwest DSL (with discount) provided with UNE-P Amendment to its interconnection agreement with Excel Telecommunications, Inc. (Excel) of Dallas, Texas, which was previously granted in Application No. C-2769. Notice of the application was published in The Daily Record, Omaha, Nebraska, on March 25, 2004. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(a) of the Telecommunications Act of 1996 (the Act), Qwest and Excel entered into a negotiated wireline interconnection agreement. The Commission approved the agreement on August 20, 2002, pursuant to Application No. C-2769. In the current application, Qwest seeks to amend the agreement by adding a Qwest DSL (with discount) provided with UNE-P Amendment. An executed copy of the amendment is contained within the application.

The amendment does not discriminate against any telecommunications carrier. Furthermore, the implementation of the amendment is consistent with the public interest, convenience and necessity.

Section 252(e) of the Act requires this Commission to review negotiated interconnection agreements to ensure they comply with Sections 251 and 252(d) of the Act, as well as all applicable state laws. Using those standards, the amendment filed March 23, 2004, should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the amendment to the interconnection agreement

between Qwest Communications and Excel Telecommunications, Inc.,  
be, and it is hereby, approved.

IT IS FURTHER ORDERED that the executed amendment filed  
herein be, and it is hereby, made the official copy on file with  
the Nebraska Public Service Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of  
April, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director